423 person who will pay more tribute or who pleases him for other reasons (No. 19, p. 469). As a rule, however, families live on a piece of land for generations and till the soil for their own benefit and in part for that of their feudal lord. Before the Batussi era, this land was probably for the most part the property of the Bahutu clans (see p. 104). The homesteads inhabited by the Batussi are usually set somewhat apart from those of the Bahutu, outside the confines of fields in the grazing land.

The inhabitants own their huts and, in addition, every-
42 thing they keep inside the huts or carry on their person. Thus, men, women, and children may own property, and the following may be items of property: huts, planted trees, produce still standing in the field or harvested, cattle that have been raised, furniture, tools, clothing, weapons, ornaments, trade objects, etc.

685 Property violations, i.e., damage and theft (uwivi), are
674 frequent, but if someone leaves his hut unguarded, a woven screen in front of the door opening is usually sufficient to keep away uninvited guests. Although the kraals are surrounded by
[417] strong fences and the paths between the fields are often lined with high euphorbia hedges (Plate 20), these have not been put up or grown as a protection against thieves but to pen and restrain the cattle. If a person steals something from [94] a homestead or produce from the fields, he is taken before the mutwale and is sentenced to severe corporal punishment unless he can pay a generous amount in damages of which the mutwale will appropriate one half (No. 4, p. 224).

692 The mutwale or in smaller districts the village chief is
627 the judge who pronounces justice in all cases. Usually the Batwa take care of their legal disputes among themselves without appealing to their Murundi mutwale, but the Batussi and the Bahutu take every matter that cannot be settled by the family council before their mutwale. Usually the plaintiff brings several witnesses with him whenever possible, but at the same time he brings a present for the judge which is not without influence upon the verdict of the latter (No. 19, p. 472). In most cases
696 the convicted person receives his corporal punishment from the family members of the plaintiff or from the bodyguard of the chief if he has one. Concerning the types of punishment, see p. 97 .

614 842 Since the groups involved in this arrangement are small and conditions simple and clear, no one can forget that the welfare of the individual is directly dependent on the welfare of the clan. Hence everyone is very much concerned that the clan appear powerful to the outside world. It must be as large as possible and always ready for war. No effort must be spared to achieve this; otherwise the members of the clan have no protection against plunder, impoverishment, and even complete extinction. The man as well as the woman must be considered from this point of view, and producing children is, therefore, the most important duty of the individual. This explains the completely unenviable position of the childless woman. For the same reason, sons whose descendants will augment the number of clan members are preferred to a daughter, even though one can always trade her for a cow.

614 563 The importance of the clan's strength and fighting fitness, even today in Bugoye, was convincingly demonstrated to me by the fate of my Muhutu informant's father. Several years ago their clan was scattered by advancing Batutsi. Only his father remained on the old clan property, along with the [234] children and his uncle. Since there were only a few men in both families and they were too weak to defend themselves, the Batutsi simply settled on the land and indulged in all kinds of suppressive measures against the weaker farmers. At the time of my visit, for example, they took away a whole hut and carried it to their settlement, instead of building a new one for themselves.

614 628 Every individual is under the protection of the clan. This makes it possible for a person to lead a more or less secure existence. Clan organization represents a sort of social guarantee which is directed primarily against the misdeeds of fellow tribesmen who do not belong to the clan.

614 627 Moreover, the clan exercises control over its members, and, if serious offenses are committed by individuals who endanger the interests of the clan, they can even be exiled.

614 627 428 The clan may also interfere in family matters and, above all, in disputes about inheritances. Although the father can dispose of his property as he sees fit, nevertheless his decisions presuppose the tacit approval of the clan. If the interests of the clan are

614 endangered by his plans for dividing his property, for instance,
627 if he impoverishes several of his sons, the clan often steps in,
428 overrides his decision, and apportions his estate in a way that seems to it more suitable. With the disintegration of the clan and the increased power of the chief, this power passes to him, and he has the final word.

614 The rights of the individual are always sacrificed to the
423 interests of the clan. In Bugoye I even heard that all the clan property is re-apportioned if the fields have become concentrated in the hands of a minority. This re-apportioning, I was told, is called kutshura hasi.

614 At present, under increased taxation and the Batutsi supremacy,
651 it is said that sometimes clan members who cannot pay their taxes are driven out and even replaced by outsiders. The latter then participate in the tax payments which are made in common. Such instances are possible, of course, only when clan organization disintegrates.

614 The clan also protects its women. If there are daughters in a household who have no guardian after the death of their father, they are taken into their brother's house as paternal aunts.

614 The protection of female clan members does not extend to
591 their husbands, however. If husbands settle with their wife's clan
762 without being adopted, they are not regarded as equals. This happens primarily when a widow and her children remain with members of the husband's clan and she takes a man into the house. The latter can simply be driven out after the woman's death.

671 In Bahutu Ruanda, society does not protect the weak. The
614 [235] individual who is on his own, not protected by any group,
178 is without legal rights and can be oppressed and even slain by anyone. Such attacks are not punished here. In the oppression of the defenseless, they see nothing anti-social since actually it achieves better organization. This is the principal means by which the unyielding masses are united into well-organized groups. Here we cannot fail to recognize the connection between the development of the clan system and the absence of general legal norms. That is why the disintegration of clan organization caused by the Batutsi is accompanied by the establishment of universal norms, despite all the despotism that accompanies conquest. Now the individual

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marriage coming from another inzu or to be made to another inzu, and whether the council thought that a connexion with such or such lineage was to be accepted, sought, or avoided. A certain number of disputes that the lineage head could not or would not settle alone were submitted to the council. When somebody had lost his cattle and was ruined, the council could determine and apportion a collective contribution to help him out of his difficulties. Finally, blood-feuds were discussed. When a member of the group had been killed by a member of another all the kinsmen of the victim attempted to retaliate by taking of the life of a kinsman of the offender. Compensation was not usual. I was told, however, by the Hutu of Bugoyi that there the murderer's group could prevent the taking of vengeance by handing over a beautiful girl. Political authority kept the feuds under strict control. Permission to retaliate had to be obtained from the king and when it was granted and vengeance had been achieved, the feud was at an end. No further vengeance could be taken. Sometimes the king made representatives of the two lineages share a meal.

As the preceding paragraphs suggest, there was no clear-cut division between the powers of the head and of the council. It was a question of the particular traditions in each inzu and of the individual characters of the persons concerned. Usually, however, the inzu was an oligarchy rather than a monarchy. The head could not rule in opposition to the men of standing in his lineage; they had the means to put pressure on him and then there was the possibility of recourse to the political chiefs, always glad to interfere in a domain which was not completely under their control.

The obligations and rights of the individual members of a primary patrilineage were many. There was first a prohibition on sexual intercourse within the group, which applied to relations whether in or out of wedlock. It was feared that the mating of descendants from the same inzu ancestor would produce sickly and malformed children. A few informants add that exogamy was necessary to promote connexions between descent-groups, these connexions being thought of as beneficial in a vague way. The Ruanda did not distinguish incestuous relations from prohibited relations because of consanguinity. For them all the latter were incestuous. But they recognized order in the degrees of gravity in